

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RAYNA JOHNSON,

Plaintiff,

v.

MONTCLAIR NURSING
REHABILITATION CENTER,

Defendant.

CASE NO. 8:09CV429

MEMORANDUM
AND ORDER

This matter is before the court on its own motion. On December 29, 2009, the court conducted an initial review of Plaintiff's Complaint and found that it failed to state a claim upon which relief may be granted. (Filing No. [6](#).) The court gave Plaintiff an opportunity to amend her claims, but warned her that if she failed to amend by January 29, 2010, her Complaint would "be dismissed without further notice for failure to state a claim upon which relief may be granted." (*Id.* at CM/ECF p. 3.) Plaintiff has failed to file an amended complaint.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute this matter diligently and failed to comply with this court's orders;

and
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 5th day of February, 2010.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

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